

REMARKS

This is in response to the Office Action dated August 16, 2002.

I. Summary of This Amendment

A. Amendments To Drawings

Fig. 2 has been amended to correct a typographical error which included three "2A" labels rather than one "2A" label, one "2B" label and one "2C" label. Figure 3 has been amended to add container reference number "10." Figure 5A has been amended to include reference label "38" for the expandable portion of the preform. Figs. 6-8 have been amended to include label 40 which refers to the sliding core of the sliding die. No new matter has been added.

B. Amendments To Specification

Several paragraphs in the specification have been amended to correct typographical errors. The typographical errors included reference numbers and the word "and." The reference numbers in the specification match the reference numbers in the drawings. No new matter has been added.

C. Amendments to the Claims

Claims 1, 7-11, 19-21, 29 and 30 have been canceled without prejudice. New Claim 55 has been added. New claim 55 includes the limitations of canceled claim 22 which was noted as having allowable subject matter. New Claim 55 also includes all of the limitations of intervening Claims 1, and 18-21. Claim 23 which was dependent on canceled Claim 22 was amended to depend from new Claim 55 (Claim 22 re-written in independent form). Claim 31 has been amended to change "immediately below" to "below."

II. Objections to Specification

The Office Action objected to the disclosure "because of the following informalities: in page 11, line 16, 'parison 21' should use a different referent number to indicate the parison

of the present invention, because in fig. 1, the parison of the prior art is labeled by number 21.” Office Action, Page 2. The paragraph beginning at page 11, line 16 has been amended to change the parison reference number from “21” to “36.” This label number corresponds with the label “36” of Figures 5A, 6, 7 and 8. Applicant submits that the objections to the specification have been overcome.

III. Objections to Drawings

The Office Action objected to the drawings “as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: container ‘10’ (page 9, line 5) and parison ‘21’ (page 11, line 16) are not shown in the drawing.” Office Action, Page 2. Along with this Amendment an amended Figure 3 is included with label “10” added with reference to the container. As noted above, the paragraph beginning at page 11, line 16 has been amended to change the reference number of the parison from “21” to “36” as labeled in Figures 5A, 6, 7 and 8. Applicant submits that the objections to the drawings have been overcome.

IV. Claim Rejections under 35 U.S.C. § 112

The Office Action rejected Claims 1, 7-11 and 19-32 under 35 U.S.C. § 112, second paragraph, as being indefinite. Office Action, Page 3. Specifically, the Office Action stated that the language “a locating ring immediately below which is a first non-expanding region and low [sic] which is a second expanding region” is “indefinite because it is unclear where is a portion limitation of the first non-expanding region over the second non-expanding region.” The Office Action also stated that “immediately below” is indefinite. Office Action, Page 3.

New Claim 55 has been added. New Claim 55 includes the limitations of Claims 1 and 18-22. Claim 22 was noted as having allowable subject matter. Applicant believes that new Claim 55 overcomes the rejections under 35 U.S.C. § 112. Therefore, Applicant believes that Claim 55 is allowable. Since independent Claim 55 is believed allowable, Applicant believes that all claims depending therefrom (namely, Claims 23-28) are also allowable.

Claim 31 has been amended to change the language "immediately below" to "below." Applicant believes that amended Claim 31 overcomes the rejection under 35 U.S.C. § 112. Claim 31 was noted as containing allowable subject matter. Applicant believes that amended Claim 31 is allowable. Claim 32 which depended from Claim 31 was also noted as containing allowable subject matter.

V. Claim Rejections under 35 U.S.C. § 102

Claim 1, 7-11, 19-21, 29 and 30 were rejected under 35 U.S.C. § 102(e) as being anticipated by Takeuchi et al. (U.S. Patent No. 6,227,939). Claims 1, 7-11, 19-21, 29 and 30 have been canceled without prejudice. Since Claims 1, 7-11, 19-21, 29 and 30 have been canceled, the rejections of those claims are not discussed further herein.

VI. Allowable Subject Matter

Claims 22-28 were objected to as being dependent on a rejected base claim, but were noted as being "allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." Office Action, Page 4.

As described above (with reference to the rejections under 35 U.S.C. § 112, Claim 22 has been re-written and is submitted herewith as new Claim 55. It is believed that new Claim 55 overcomes the rejection under 35 U.S.C. § 112 and is therefore allowable. Claims 23-28 which depend from new Claim 55 are also believed allowable.

Claims 31 and 31 were noted as being "allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office Action." Office Action, Page 4.

As described above (with reference to the rejections under 35 U.S.C. § 112, Claim 31 has been amended. It is believed that amended Claim 31 overcomes the rejection under 35 U.S.C. § 112 and is therefore allowable. Claim 32 which depend from amended Claim 31 is also believed allowable.

Application No.: 09/581,956
Response to Office Action of August 16, 2002
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CONCLUSION

In view of the foregoing, Applicant respectfully submits that all of the remaining Claims, namely, Claims 23-28, 31-32 and 55 are allowable. Therefore, Applicant requests that the application be passed to issue. Should the Examiner have any questions or any suggestions for expediting the allowance of the claims, the Examiner is invited to contact Applicant's representative at the number listed below.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

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